

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ERIC KLOPMAN-BAERSELMAN, as  
Personal Representative for the Estate of  
RUDIE KLOPMAN-BAERSELMAN,  
deceased,

Plaintiff,

v.

AIR & LIQUID SYSTEMS  
CORPORATION, et al.,

Defendants.

3:18-cv-5536-RJB

DECLARATION OF BENJAMIN H.  
ADAMS IN SUPPORT OF  
PLAINTIFF'S RESPONSE IN  
OPPOSITION TO DEFENDANT  
NATIONAL AUTOMOTIVE PARTS  
ASSOCIATION'S MOTION TO  
DISMISS FOR LACK OF PERSONAL  
JURISDICTION

I, BENJAMIN H. ADAMS, declare and state as follows:

1. I am one of the attorneys representing the Plaintiff in the above captioned case. This declaration is based on personal knowledge, and I am competent to testify to the matters herein. I make this declaration in support of Plaintiff's Response in Opposition to Defendant National Automotive Parts Association's Motion to Dismiss for Lack of Personal Jurisdiction.

2. Attached hereto as **Exhibit "1"** is a true and correct copy of the Verdict, *Coogan v. Borg-Warner Morse TEC*, April 17, 2017, Wash. Super. Ct.

3. Attached hereto as **Exhibit "2"** is a true and correct copy of the *Thomas v. Borg Warner Morse TEC LLC, et al.*, No. 4:17-CV-00522 BSM (E.D. Ark. Nov. 19, 2018).

1           4.       Attached hereto as **Exhibit “3”** is a true and correct copy of the Deposition of  
2 Steven Klopman-Baerselman taken on 12/12/18.

3           5.       Attached hereto as **Exhibit “4”** is a true and correct copy of the Deposition of  
4 Steven Klopman-Baerselman taken on 12/13/18.

5           6.       Attached hereto as **Exhibit “5”** is a true and correct copy of the Deposition of Ray  
6 Smith taken on 12/20/18.

7           7.       Attached hereto as **Exhibit “6”** is a true and correct copy of the Deposition of Ray  
8 Smith taken on 2/28/19.

9           8.       Attached hereto as **Exhibit “7”** is a true and correct copy of GPC Discovery  
10 Responses.

11           9.       Attached hereto as **Exhibit “8”** is a true and correct copy of the Deposition of Paul  
12 LeCour taken on 12/08/09.

13           10.      Attached hereto as **Exhibit “9”** is a true and correct copy of the excerpts of the  
14 Deposition of Byron Frantz taken on 3/4/15.

15           11.      Attached hereto as **Exhibit “10”** is a true and correct copy of the excerpts of the  
16 Deposition of Byron Frantz taken on 3/29/16.

17           12.      Attached hereto as **Exhibit “11”** is a true and correct copy of the NAPA Rayloc  
18 Master Catalog, 1991.

19           13.      Attached hereto as **Exhibit “12”** is a true and correct copy of the excerpts of  
20 *Coogan*, Trial Transcript, 2/23/17 PM.

21           14.      Attached hereto as **Exhibit “13”** is a true and correct copy of the., Fifth Amended  
22 Notice of Videotaped Deposition of the Defendant Genuine Parts Company d/b/a NAPA.

23           15.      Attached hereto as **Exhibit “14”** is a true and correct copy of the Deposition of  
24 Liane Brewer taken on 11/16/16 in *Coogan, et al. v. Borg-Warner Morse TEC, Inc., et al.*

25           16.      Attached hereto as **Exhibit “15”** is a true and correct copy of the NAPA  
26 Distribution Center documents.

17. Attached hereto as **Exhibit “16”** is a true and correct copy of the excerpts of *Coogan*, Trial Transcript, 2/08/17 PM.

18. Attached hereto as **Exhibit “17”** is a true and correct copy of the excerpts of *Coogan*, Trial Transcript, 2/28/17 PM.

19. Attached hereto as **Exhibit “18”** is a true and correct copy of the Deposition of Gaylord Spencer taken on 8/2/18.

20. Attached hereto as **Exhibit “19”** is a true and correct copy of the Exhibit 3 to Gaylord Spencer’s deposition taken on 8/2/18.

**I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.**

DATED at Los Angeles this 20<sup>th</sup> day of May 2019.

s/ Benjamin H. Adams  
BENJAMIN H. ADAMS (*Pro hac vice*)

**CERTIFICATE OF SERVICE**

I hereby certify that on May 20, 2019, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties of record.

s/ Chelsea Weeks

Chelsea Weeks,  
Paralegal